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ATTORNEY FOR DEBTOR(S)

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

IN RE:	§	
	§	
TOSHA YVETTE MOORE	§	Case No. 19-20140-BP-13
	§	Chapter 13
Debtor(s)	§	
	§	

**AMENDED MOTION TO AMEND ORDER DENYING CONFIRMATION OF  
CHAPTER 13 PLAN AND DISMISSING CHAPTER 13 CASE WITHOUT PREJUDICE**

Your rights may be affected by the relief sought in this pleading. You should read this pleading carefully and discuss it with your attorney, if you have one in this bankruptcy case. If you oppose the relief sought by this pleading, you must file a written objection, explaining the factual and/ or legal basis for opposing the relief.

No hearing will be conducted on this Motion unless a written objection is filed with the Clerk of the United States Bankruptcy Court and served upon the party filing this pleading **WITHIN TWENTY-ONE (21) DAYS FROM THE DATE OF SERVICE** shown in the certificate of service unless the Court shortens or extends the time for filing such objection. If no objection is timely served and filed, this pleading shall be deemed to be unopposed, and the Court may enter an order granting the relief sought. If an objection is filed and served in a timely manner, the Court will thereafter set a hearing with appropriate notice. If you fail to appear at the hearing, your objection may be stricken. The Court reserves the right to set a hearing on any matter.

TO THE HONORABLE BRENDA T. RHOADES:

NOW COMES , Tosha Yvette Moore, Debtor(s) in the above styled case, and files this Motion to Amend Order Denying Confirmation of Chapter 13 Plan and Dismissing Chapter 13 Case Without Prejudice and in support thereof would respectfully show this Court as follows:

1. On or about September 19, 2019 Debtor(s) filed a Voluntary Petition for Relief under Chapter 13 of the United States Bankruptcy Code.
2. On or about May 28, 2020 the Court considered the confirmation of the Chapter 13 Plan proposed by Debtor(s) and an Order Denying Confirmation and Dismissing Chapter 13 Case with Prejudice to Refiling for 120 Days (“*the Order*”) was entered by this Court.  
{Docket Entry No. 44 and 45}
3. Debtor(s) seeks to amend the Order to allow the Debtor's case to be dismissed without Prejudice to Refiling and in support of this Motion asserts the following reasons for the Court to consider in granting the amendment:
  - a. Debtor's income had dramatically decreased for a period of time due to the COVID-19 pandemic. Debtor operates a truck and was unable to make deliveries. Additionally, Debtor's spouse has underlying health conditions that would be dangerous if Debtor had been exposed. The COVID-19 restrictions have eased and Debtor is now able to earn sufficient income to afford monthly plan payments and other monthly living expenses.

WHEREFORE, PREMISES CONSIDERED, Debtor(s) requests the Order Denying Confirmation and Dismissing Chapter 13 Case With Prejudice be amended to allow Dismissal without Prejudice for Refiling, and for such other and further relief as is just.

Dated: June 4, 2020

Respectfully Submitted,

LEE LAW FIRM, PLLC

By: /s/ Randy Leigh Tipton

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on June 4, 2020, a true and correct copy of the foregoing was served on all parties in interest below and on the attached mailing matrix.

**DEBTOR(S):**

Tosha Yvette Moore

701 N. Cass St

Jefferson, TX 75657

**STANDING CHAPTER 13 TRUSTEE:**

Lloyd Kraus

Plaza Tower

110 N. College Ave, 12th Fl

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**U.S. TRUSTEE**

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/s/ Randy Leigh Tipton

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